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March 11, 2020

VIA ELECTRONIC FILING

Mr. Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, N.E.
Washington, DC 20543-0001

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Re: OTO, LLC v. Ken Kho, et al.
Case No. 19-875

Dear Mr. Harris:

I represent respondent Ken Kho in the above-captioned matter. The Petition for Writ of Certiorari in this matter was docketed on January 13, 2020, and the Court issued a letter on February 22, requesting that an Opposition be filed no later than March 30, 2020.

Pursuant to Supreme Court Rule 30.4, I am writing to request a 30 day extension of time, until April 29, 2020, to file a Brief in Opposition. This extension is necessitated by the fact that the letter requesting opposition was not received until March 2, and I have a number of other matters, including briefs, due during the month of March.

At the time the letter was received, I was in the process of preparing for oral argument in the Ninth Circuit Court of Appeals, *Delta Sandblasting Co. v. NLRB*, Nos. 18-73097 and 18-73305, which was heard on March 6.

In addition, I have three more Court of Appeals arguments set for early May for which I will begin preparation (two in the Ninth Circuit and three cases in the D.C. Circuit, which will be argued before the same panel involving the same issues). I have an Intervenor Brief due in the D.C. Circuit on March 20, in *NP Red Rock Casino Resort & Spa v. NLRB*, Nos. 19-1172, 19-1209 and 19-1213. I also have an Intervenor Brief due in the Ninth Circuit in *Nob Hill General Stores v. NLRB*, Nos. 19-72429 and 19-72523, at the end of this month.

I am preparing an amicus brief due in the Ninth Circuit on March 18 in *California Trucking Ass'n v. Becerra*, Nos. 20-55106 and 55107. I also have to prepare a response to a Notice to Show Cause in an NLRB case, *Purple Communications, Inc.*, Case 21-CA-149635, et al., due on March 23.

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In addition to those matters, I have other responsibilities for day-to-day advice for clients, as well as several arbitrations scheduled, which require preparation in March and April.

Thank you for your attention to this matter.

Sincerely,

/s/ David A. Rosenfeld

David A. Rosenfeld

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cc: Kannon K. Shamnugam
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